

DUA FAQs

What is Disaster Unemployment Assistance?

Disaster Unemployment Assistance (DUA) is a federal program that provides unemployment payments to individuals who become unemployed as a direct result of a major disaster, but who are not covered under federal or state unemployment compensation programs. Regular unemployment insurance (UI) benefits supersede DUA. Any person determined eligible for regular UI benefits, even in the case of a disaster, would not be eligible for DUA benefits.

Who is eligible to receive Disaster Unemployment Assistance?

To be eligible for DUA, you must be ineligible to receive federal or state unemployment compensation. If you are eligible to receive federal or state unemployment compensation, you must exhaust those benefits before receiving DUA. Additionally, you must apply for DUA within 30 calendar days of the date the availability of DUA benefits in your county were announced, and meet one or more of the following conditions:

1. You are unemployed as a direct result of a major disaster;
2. You were scheduled to start employment, but were unable to as a direct result of a major disaster;
3. You are unable to reach your job or self-employment location because you have to travel through an affected area and are prevented from doing so;
4. You are now the major support for a household because of the death of the head of the household due to the disaster; or
5. You are unable to work or perform services due to an injury caused as a direct result of a disaster.

When is unemployment a direct result of a major disaster?

An individual's unemployment is a direct result of the major disaster if the unemployment resulted from:

1. The physical damage or destruction of the place of employment;
2. The physical inaccessibility of the place of employment in the major disaster area due to its closure by or at the request of the federal, state, or local government, in immediate response to the disaster; or
3. Lack of work, or loss of revenues, by an employer or self-employed individual, of at least a majority of revenue from an entity that was either damaged or destroyed in the disaster, or an entity in the major disaster area closed by the federal, state, or local government.

Is employment exempt from regular unemployment coverage eligible for DUA?

Yes. Individuals engaged in employment that is exempt from unemployment coverage are potentially eligible for DUA payments, provided they meet all other eligibility requirements.

How long is DUA available?

DUA is available only during the designated disaster assistance period. Ordinarily, the disaster assistance period lasts twenty-six (26) weeks starting with the first full week after the disaster start date as listed in the President's Disaster Declaration. An eligible individual would be eligible to receive DUA benefits each week during the DUA period as long as they remain unemployed as a direct result of the disaster and meet standard state weekly eligibility requirements.

How do I apply for DUA benefits?

You must first file a claim for state unemployment benefits by visiting <https://scuihub.dew.sc.gov/CSS/CSSLogon.htm> or by calling 1-866-831-1724.

If you are eligible for state unemployment benefits, you must first exhaust those benefits before receiving DUA.

If you are ineligible for state unemployment benefits, a DEW representative will contact you directly to take your application for DUA benefits.

What information do I need to apply for DUA benefits?

Within twenty-one (21) calendar days of applying for DUA benefits, you must provide DEW with proof that you were either:

1. Working or self-employed at the time of the disaster; or
2. Scheduled to start work on or after the date of the disaster.

If you do not provide proof of employment by the deadline, DEW will stop paying you DUA and you will have to repay any benefits you received.

Additionally, you must provide DEW proof of your wages and/or income for the most recently completed tax year. In some cases, DEW will already have this information and no further information will be necessary. Please note that your potential weekly benefit amount may be reduced if you fail to provide DEW with proof of all your wages.

You can mail or fax proof of employment and wages to DEW at:
South Carolina Department of Employment and Workforce
Attn: TPU/DUA
PO Box 1477

Columbia, SC 29202

Fax: 803-737-2814

What is acceptable proof of employment?

Acceptable documents to prove employment at the time of the disaster include, but are not limited to:

1. Pay stub or voucher;
2. Earnings statement; or
3. Written statement from your employer.

What is acceptable proof of self-employment?

To prove self-employment, you must provide DEW with the following three (3) items:

1. Federal income tax form 1040;
2. Schedule C, F, or SE federal income tax returns for the most recent tax year; and
3. One of the following to prove the existence of the business:
 - a. Property titles, deeds, or rental agreement for the place of business;
 - b. Recent business bank, phone, utility statement, or insurance bill; or
 - c. Recent sales tax return.

What is acceptable proof of prospective employment?

To prove prospective employment, you must provide DEW with a completed form DUA-7 or a letter from the potential employer that includes all of the following information:

1. Name and address of the employer;
2. Employer contact name and number;
3. Employer federal FEIN and DEW UI Account number;
4. Start date of the job;
5. Hours of the job;
6. Duration of the job; and
7. Reason why you did not start work.

What is acceptable proof of prospective self-employment?

To prove prospective self-employment, you must provide DEW with one of the following:

1. Property titles or deeds for the place of business;
2. A contract showing that you were about to begin self-employment work;
3. Rental agreement or letter from a property owner showing you planned to open a business at the time of the disaster; or

4. Other evidence that you were preparing to open a business, such as advertising or state tax registration.

Does the waiting week apply?

If you qualify for regular UI benefits, there will be a waiting week. This means that if you are determined eligible for UI benefits, the first week of UI benefits that you apply and are eligible for will not be paid. If you do not qualify for regular UI benefits, but you qualify for DUA, there is no waiting week.

How much money can I receive each week under DUA?

Your weekly benefit amount for DUA benefits is based on the wages you earned during the most recently completed tax year, January 1 through December 31. The weekly benefit amount is computed in the same manner as it is under state unemployment compensation, except that the minimum weekly benefit amount under DUA is \$126.00. The maximum amount is \$326.00.

Your weekly benefit amount may be reduced if you receive any of the following during a week that you file for DUA benefits:

1. Benefits or insurance for loss of wages due to illness or disability;
2. Supplemental unemployment benefits paid pursuant to a collective bargaining agreement;
3. Private income protection insurance;
4. Workers' Compensation or survivor's benefits if you become the major support of the family as a result of the death of the head of the household because of the disaster;
5. Retirement pension or annuity;
6. Subsidy or price support payments, crop insurance payments, and farm disaster relief (non-DUA) payments;
7. A court order to pay child support;
8. Earnings from employment or self-employment.

How do I request DUA payments for a week?

You must complete and submit form DUA-83 certifying you are still unemployed as a direct result of the disaster and that you meet the ongoing eligibility requirements. DEW will send you four (4) DUA-83 forms when you initially apply with claim weeks prefilled. DEW will send you additional DUA-83 forms throughout the disaster assistance period. You must submit your DUA-83 within fourteen (14) calendar days of the week ending date of the week you are requesting DUA benefits.

What are the requirements for reporting wages?

If you are not self-employed and work during a week that you request DUA benefits, you must report your hours and gross earnings on the ETA-83. Please note, you must report all your gross earnings from that week, even if you have not received payment. For instance, if you work in Week #1, but are not paid for that work until Week #2, you must report your gross income in Week #1, the week that you performed the services.

If you are self-employed you must report all wages during the week in which they were paid, not when you performed the work. For instance, if you performed services in Week #1, but did not receive payment until Week #2, you must report the gross income in Week #2, the week that you were paid.

Please note, failure to properly report all gross earnings may result in an overpayment that you will be required to repay. Additionally, knowingly giving false information or withholding information to obtain or increase unemployment benefits is fraud, which can be prosecuted under state and federal laws. If you commit fraud, you will lose your remaining benefits, be disqualified from future benefits, and may face criminal charges. If convicted, you could face a fine and jail time.

What are the ongoing eligibility requirements?

DUA eligibility requirements are similar to the eligibility requirements for state unemployment compensation. To receive DUA benefits for a week, you must:

1. Be unemployed as a direct result of the disaster;
2. Be legally authorized to work in the United States;
3. Be able to work and available for work;
4. Actively search for work (or actively engage in resuming your customary self-employment);
5. Submit timely requests for DUA payment; and
6. Have not refused an offer or referral of suitable work.

How do I file an appeal?

DEW will issue you a paper determinations regarding your eligibility for DUA benefits. If you disagree with a determination on a DUA claim, you must mail or fax your written appeal no later than sixty (60) calendar days from the date DEW mailed the determination. DEW uses the postmark on your mailed appeal or the fax date on your faxed appeal letter (or the date DEW received the fax, if there is no fax date) to determine whether your appeal is timely. You may use a form APP-100 or draft your own letter.

Mail or fax your appeal to:

Attn: Appeal Tribunal / DUA
PO Box 995
Columbia, SC 29202

Fax: 803-737-0287

You must continue to request DUA payment each week as necessary while you wait for the result of your appeal. If the appeal decision is in your favor, DEW can only pay you for the weeks you submitted a timely request for DUA payment.